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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,678	06/25/2003	Michio Seki	04329.3081	1969
22852	7590	11/26/2008		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER NGUYEN, DUSTIN	
			ART UNIT	PAPER NUMBER
			2454	
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			11/26/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/602,678

**Applicant(s)**

SEKI ET AL

**Examiner**

DUSTIN NGUYEN

**Art Unit**

2454

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8,9 and 14-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8,9 and 14-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 8, 9 and 14-16 are presented for examination.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/14/2008 has been entered.

***Response to Arguments***

3. Applicant's arguments filed 04/22/2008 have been fully considered but they are not persuasive.
4. As per remarks, Applicants' argued that (1) Nishikawa fails to disclose "a server apparatus comprising: a body ...; a network process unit provided in the body ...; and an AV function unit provided in the body ...".

5. As to point (1), Examiner respectfully disagrees since Nishikawa discloses an AV system server 22 [ i.e. a server apparatus comprising a body ] [ 22, Figure 2; and paragraph 0032 ], including communication unit 50 for connecting controller 42 or mobile terminal 40 to TV 26 or VCR 28 [ i.e. a network process unit provided in the body ] [ 50, Figures 1 and 2; and paragraphs 0034, 0051, and 0054 ]. In addition, Nishikawa discloses the AV system server 22 including an appliance selector for selecting appliance and an AV system control table 100 describing the function inside the AV system network 20 for controlling appliance [ i.e. AV function unit provided in the body ] [ Figures 2 and 3; and paragraphs 0034, 0038 and 0039 ].

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 8, 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa et al. [ US Patent Application No 2002/0062392 ], in view of Munezane [ US Patent No 7,058,458 ].

8. As per claim 8, Nishikawa discloses the invention as claimed including a server apparatus [ i.e. AV system server ] [ 22, Figure 1; and paragraphs 0030 and 0031 ] comprising:  
a body [ Figure 2; and paragraph 0032 ];

a network process unit provided in the body and configured to connect an electronic apparatus [ i.e. communication controller ] [ 50, Figure 2; and paragraph 0034 ], which transmits/receives data via a first network, to a second network through the server apparatus [ i.e. backbone system network and AV system network ] [ 12, 24, Figure 1; and paragraphs 0039 and 0054 ]; and

an AV function unit provided in the body and configured to process video data and sound data [ i.e. the AV system server 22 including an appliance selector for selecting appliance and an AV system control table 100 describing the function inside the AV system network 20 for controlling appliance ] [ Figures 2 and 3; and paragraphs 0034, 0040-0044; and 0051 ]; and

the network process unit receives, from the electronic apparatus [ i.e. receive a file and control appliance ] [ paragraphs 0038 and 0039 ].

Nishikawa does not specifically

the AV function unit being provided with a normal operation mode and a standby mode serving to reduce power consumption;

the network processing unit obtaining a current status of the AV function unit, returning a communication packet containing a command indicating the current status of the AV function unit, when the network process unit receives, from the electronic apparatus, a communication packet containing a command to check the current status of the AV function unit, and switching an operation of the AV function unit between the normal operation mode and the standby mode, when the network process unit receives, from the electronic apparatus, a communication packet containing a command requesting that the operation of the AV function unit be changed.

Munezane discloses

the AV function unit being provided with a normal operation mode and a standby mode serving to reduce power consumption [ i.e. power controller for power-on/power-off audio/video device ] [ Figure 1; Abstract; and col 1, lines 6-10 ];

the network processing unit obtaining a current status of the AV function unit [ i.e. operation state of the devices ] [ Figure 9; col 1, line 65-col 2, lines 2; and col 9, lines 12-19 ], returning a communication packet containing a command indicating the current status of the AV function unit [ i.e. generates the result according to a response format and then transmits the result to the control device ] [ col 3, lines 66-col 4, lines 5; and col 4, lines 57-62 ], when the network process unit receives, from the electronic apparatus, a communication packet containing a command to check the current status of the AV function unit [ i.e. check the power source ] [ col 1, lines 34-37; and col 4, lines 63-col 5, lines 7 ], and switching an operation of the AV function unit between the normal operation mode and the standby mode, when the network process unit receives, from the electronic apparatus, a communication packet containing a command requesting that the operation of the AV function unit be changed [ i.e. power control section which performs power-on/power-off of the device ] [ Figure 5; col 2, lines 11-17; col 4, lines 48-57; and col 4, lines 24-32 ].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Nishikawa and Munezane because the teaching of Munezane on power control would enable to realize a power controller which enables power-on/power-off to be performed corresponding to the type and the operational state of the controlled device, so that power saving can be implemented [ Munezane, col 1, lines 58-col 2, lines 2 ].

9. As per claim 9, Munezane discloses wherein, upon switching of operation of the AV function unit, the network process unit notifies the electronic apparatus that the operation of the AV function unit has been switched [ i.e. return result ] [ col 4, lines 57-col 5, lines 5 ].

10. As per claim 14, it is rejected for similar reasons as stated above in claim 1. Furthermore, Nishikawa does not specifically disclose a power-on command for causing the AV function unit to recover from the standby state, a power supply standby command for causing the AV function unit to shift to the standby mode, cause the AV function unit to recover from or shift to the standby mode, when a detecting unit configured to detect a power supply control packet containing a power-on command or the power supply standby command. Munezane discloses a power-on command for causing the AV function unit to recover from the standby state, a power supply standby command for causing the AV function unit to shift to the standby mode, cause the AV function unit to recover from or shift to the standby mode, when a detecting unit configured to detect a power supply control packet containing a power-on command or the power supply standby command [ i.e. power control command for power-on/power-off device ] [ Figure 5; col 2, lines 3-17; and col 4, lines 41-col 5, lines 5 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Nishikawa and Munezane because the teaching of Munezane on power control would enable to realize a power controller which enables power-on/power-off to be performed corresponding to the type and the operational state of the controlled device, so that power saving can be implemented [ Munezane, col 1, lines 58-col 2, lines 2 ].

11. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa et al. [ US Patent Application No 2002/0062392 ], in view of Munezane [ US Patent No 7,058,458 ], and further in view of Morris , Jr. et al. [ US Patent No 6,326,844 ].

12. As per claim 15, Nishikawa and Munezane does not specifically discloses an embedded controller configured to control power supply to the AV function unit for interrupting the power supply; and an up/down signal line which is arranged between the network process unit and the embedded controller, the controlling unit of the network process unit outputting an up/down signal providing an instruction to supply power to the AV function unit or to interrupt the power supply on the up/down signal line. Morris discloses an embedded controller configured to control power supply to the AV function unit for interrupting the power supply; and an up/down signal line which is arranged between the network process unit and the embedded controller, the controlling unit of the network process unit outputting an up/down signal providing an instruction to supply power to the AV function unit or to interrupt the power supply on the up/down signal line [ i.e. control unit sends a turn-on signal to switch which activates the main power supply ] [ Figure 1; col 2, lines 29-34, and lines 50-60; and col 3, lines 31-36 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Nishikawa, Munezane and Morris because the teaching of Morris on power supply would enable to reduce the effect of input signal transients on the supply voltages of an amplifier [ Morris, col 1, lines 62-64 ].



13. As per claim 16, Munezane discloses a status signal line which is arranged between the network process unit and the embedded controller, the embedded controller being configured to output a status signal indicating a status of the AV function unit on the status signal line [ Figure 9; and col 9, lines 12-19 ].

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Dustin Nguyen/  
Primary Examiner, Art Unit 2454

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Art Unit: 2454

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